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**FREDERICK COUNTY PLANNING COMMISSION**  
**January 12, 2011**

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**TITLE:** **Catoctin Quaker Camp**

**FILE NUMBER:** **SP 03-11** (AP#'s 8350, 8351 & 10795)

**REQUEST:** **Site Plan Approval** (Requesting approval for building expansions and four new cabins; landscaping and parking modifications; APFO; and FRO approval)

**PROJECT INFORMATION:**

**LOCATION:** West quadrant Mink Farm / Tower Roads intersection  
**ZONE:** Resource Conservation (RC)  
**REGION:** Middletown (camp area) & Frederick (consv. easement)  
**WATER/SEWER:** No Planned Service  
**COMP. PLAN/LAND USE:** Natural Resource

**APPLICANT/REPRESENTATIVES:** (as applicable)

**APPLICANT:** Baltimore Yearly Meeting of the Religious Society of Friends, Inc.

**OWNER:** same

**ENGINEER:** Fox & Associates, Inc.

**ARCHITECT:** N. A.

**ATTORNEY:** Not Listed

**STAFF:** Stephen O'Philips, Principal Planner

**RECOMMENDATION:** **Conditional Approval**

*Enclosures:*

*Exhibit #1: Aerial Photo*

*Exhibit #2: Email from Resident on Tower Road*

*Exhibit #3: Site Plan (Sheets 1-3 of 3)*

# STAFF REPORT

## BACKGROUND:

**Development and Parcel History:** This camp was established in 1958 and has been in continuous operation since then. However, some of the camp buildings have been in existence since the 1920's, or earlier. The Applicant has executed and proposes several building expansions, which require Frederick County Planning Commission (FcPc) Site Plan approval.

This camp is composed of two lots of record. The larger parcel (Parcel 5) is where the campground exists, and upon which a 333± acre Maryland Department of Natural Resources Conservation Easement exists that protects native plants of interest. There is a smaller parcel (Parcel 27) which creates two non-conforming setback situations that must be addressed with building expansion. (This issue is further discussed under "*Site Use, Circulation, Parking & Utilities*".)

This camp operation has never received Site Plan approval. This camp and a majority of the buildings were established prior to the advent of Site Plan approval requirements in Frederick County (1977), and therefore, its continued operation is grandfathered. However, since 1977:

- 1) some buildings were built without Site Plan approval;
- 2) most of the cabins have been required to expand because of Maryland State Health Department requirements; and
- 3) the Applicant proposes to expand other core buildings for the camp operation.

**This Site Plan Application and the Board of Appeals Approval:** Beginning in 2006, DPDR Staff began discussions with the Applicant regarding the need for an official Site Plan approval. The Staff worked with the Applicant to allow some of the cabins to expand in the 2006-2007 timeframe because the expansions were mandated by the State Health Department requirements, and because materials and supplies had been expended for volunteer labor to expand two of the cabins.

The Applicant submitted a Site Plan application in July 2007. The proposed expansions were determined to be substantive enough to require a Special Exception Board of Appeals (BOA) approval under § 1-19-8.327. *RUSTIC RETREAT/CAMP/OUTDOOR CLUB IN RC AND A DISTRICTS* of the Zoning Ordinance. The Special Exception use was granted by the Board of Appeals in May 2010.

To complete the approval process, the Applicant is required to submit a Site Plan application and receive approval from the FcPc for this expanded campground use. The Applicant requests approval for all existing buildings and all proposed expansions on their site. The Applicant proposes to expand the buildings shown in the Site Plan using volunteer labor. Generally, only one building project is executed each year because of the nature of the volunteer building efforts. It is expected that the Applicant will execute these changes over a number of years.

**SITE USE, CIRCULATION, PARKING & UTILITIES:**

**Land Use and Zoning Review:** The camp property is zoned Resource Conservation. The two parcels that comprise the camp are in total 382 ± acres. The Zoning Ordinance Use Table (§. 1-19-5.310) lists *Rustic Retreat Camp/ Outdoor Club* as a use requiring Special Exception approval by the Board of Appeals (BOA), with Site Plan approval. The BOA Findings and Decision are printed on Sheet 1 of 3 of the Applicant's Site Plan set.

**Dimensional Requirements/ Bulk Standards:** The existing and proposed buildings, except for the Care Taker's Cabin and the Infirmary (shown at the bottom of Sheet 2) meet front, side and rear setback requirements, and all other bulk requirements according to the following table:

<i>Use Classification</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Area per Unit</i>	<i>Lot Width</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Height</i>
<i>Open space uses and institutional</i>	<i>10 acres</i>	-	<i>300</i>	<i>50</i>	<i>50</i>	<i>50</i>	<i>30'</i>

The Care Taker's Cabin does not meet the side yard setback requirement of 50' because it is located on the property line of the large parcel, and the Infirmary does not meet the setback requirement because it is built partially within the 50' setback. These buildings are non-conforming structures. The Infirmary was built in 1975--prior to the advent of Site Plan requirements--and is, therefore, a legitimate non-conforming structure. However, the Care Taker's Cabin was built in 1995, and is, therefore, a non-conforming structure built after the advent of the Site Plan regulations.

The Applicant proposes to modify the Care Taker's Cabin by adding a second story. This action would increase the non-conformity. The Applicant must resolve the non-conformity of the Care Taker's Cabin by adding the two parcels (under their ownership) together, thereby eliminating the impingement on the side yard setback. The Applicant has noted this requirement in General Note # 15 to record the Addition Plat prior to building expansion. However, because the Care Taker's Cabin was built in 1995, and because this Site Plan approval essentially approves the Care Taker's Cabin, the Addition Plat to rectify the non-conforming condition needs to be executed prior to Site Plan signature. The Applicant has agreed in writing to this timeframe.<sup>1</sup>

**Access/Circulation and Road Frontage Improvements:** The camp has two existing gravel lanes (both from Tower Road). The easternmost entrance provides access to the Workshop/Carport, Dining Hall/Kitchen and Lodge, and the Craft Shed. The western entrance provides access to the Infirmary and Care Taker's Cabin. Access to all other buildings--including the cabins toilets, and bath houses--is by footpaths.

The Site Plan shows that Tower Road is a paved surface from Gambrill Park Drive to a point just past the culvert on the Buzzard Branch. Tower Road then transitions to gravel. (More is discussed regarding travel surface under the subsection "Capacity" in this report.)

<sup>1</sup> *Because the Infirmary was built in 1975--prior to the advent of Site Plan requirements—it is a legitimate non-conforming structure. Because no expansion of the Infirmary is proposed, the Infirmary may remain without the resolution of the non-conforming situation. However, the recordation of the Addition Plat will also rectify that non-conformity.*

**Parking Space and Design Requirements:** Section 1-19-6.220 of the Zoning Ordinance requires that this land use provide a total of 26 parking spaces. The Applicant has provided 26 spaces in an informal arrangement on a grass field area. This arrangement has been providing parking needs for the camp for the last several decades. The Staff supports this arrangement, as the parking needs will be only for parent drop-off and pick-up for a few hours each week. There is a limited need for Staff parking, which is accommodated by the gravel drives to the Workshop area. Section 1-19-6.220 (C) provides the FcPc the authority to approve grass as a material for parking. If the FcPc accepts grass as an acceptable material for the parking, the parking facility would be exempt from handicapped accessibility requirements under COMAR § 05.02.02.03 (A) (6), which exempts existing facilities that are not undergoing new construction.

**Handicapped Access Issues:** Under COMAR §§ 05.02.02.03 A. (1) and 05.02.02.07 A.(1), the cabins in this project are not subject to the Maryland Accessibility Code requirements because (individually) they are less than four dwelling units each and because they are used on a transient basis. The other buildings are covered by COMAR § 05.02.02.03 A.(6), which excepts existing buildings that are not undergoing new construction. However, when the Dining Hall and the other non-cabin buildings are expanded, they are subject to Maryland Accessibility Code requirements at the time of permit application.

**Bicycle Parking and Loading Area:** No bicycle parking is required in Agricultural or Resource Conservation zoning districts for this particular use. There is a loading space requirement of one large or two small loading spaces for the Dining Hall. The Applicant has providing a gravel loading area large enough to accommodate a large truck near the Dining Hall.

**Utilities:** The parcel is classified as No Planned Service. The site is served by individual well and septic.

### **ENVIRONMENTAL ANALYSIS:**

**Open/Green Space and Floodplain Issues:** Other than density requirements, which were reviewed and met with the Special Exception review, there are no special open or green space requirements in the Resource Conservation zone. There are, however, a number of hydrological and buffer elements on this parcel, including intermittent and perennial streams and their 50' buffers; wetlands and their 25' buffers; and floodplain soils and their 25' buffers. The Applicant submitted a geotechnical report and soils report prepared by a registered professional engineer identifying where the wet-soils lines are located. This study was approved by the Zoning Administrator. The Applicant has located all new structures, and proposes to re-locate all existing structures outside of the wet-soils area and the 25' buffer. The Soils Conservation District has approved this Plan.

Because the Applicant takes on one new building expansion or new building project each year with volunteer efforts, the Applicant and Staff worked together to achieve a reasonable time-frame to re-locate all existing cabins and structures inside the wet-soils buffer to areas outside the newly-identified wet-soil buffer areas. The Applicant proposes to achieve all such re-locations by December 31, 2016. Staff feels this is a reasonable timeframe to achieve this correction, given the rather benign nature of cabin uses and their relatively small footprints.

**Landscaping:** This site is in a near 100% forested condition. The Applicant requests FcPc concurrence that the existing forest satisfies all required landscape, street tree and screening requirements under § 1-9-6.499. The Staff concurs with the Applicant's claim.

**Storm-water Management (SWM) Design:** This project was tested with regard to the requirements of the Maryland Stormwater Management Act of 2007 (SWM 2007), which became effective May 4, 2010. The Applicant is proposing a series of micro-practices for each cabin and each of the core buildings.

**Forest Resource Ordinance (FRO):** There are priority systems on site. The Applicant proposes to meet FRO requirements by providing a forest easement on a portion of the hydrological system. This will expand upon the previously recorded Maryland State DNR conservation easement area.

### **MISCELLANEOUS DESIGN ISSUES:**

**Lighting:** The Applicant has submitted a Lighting Plan showing 10-12' building-mounted lighting for the Girls and Boys Bath Houses, the Care Taker's Cabin, the Infirmary, Barr's Den Cabin and the Cooks Cabin. These benign lighting levels are needed for security, and are located remotely from the public roads, so that the foot-candle level at the lot lines will be significantly below the 0.5 ft-candle limit.

**Signage:** The Applicant proposes no additional signage with this application. There is an existing 18" x 18" sign located on the easternmost entrance on Tower Road. The Applicant is allowed 25 sq. ft. under § 1-19-8.327 (F) (Special Exceptions), but is instead, using only 2.25 sq. ft. The location meets the setback requirements of 15' (it is 20').

**Trash Dumpster and Recycling:** The Applicant has designated an existing dumpster location next to the Workshop/Carport. The Applicant has indicated that the trash is picked up by a private hauler in the spring, summer, and fall. The camp does recycle. They store the recyclables on the south end of the Workshop, and haul them to the transfer station themselves. The Applicant needs to add a note to the Site Plan that states that the trash removal is by private hauler.

**Building Elevations and Height:** There is no architectural review authority under the Zoning Ordinance for structures in the RC zone. The Zoning Ordinance limits building heights in the GC zone to 30'. The Applicant has noted this limit on the Site Plan.

**Capacity Issues:** Section 1-19-8.327 of the Zoning Ordinance cites capacity limitations for camps:

*The following provisions shall apply to rustic retreat/camp/outdoor club in RC and A Districts.*

(A) *A minimum 10 acre lot size is required.*

(B) *Rustic retreat/camp/outdoor club with a planned capacity of 100 persons or more must have a minimum of 50 feet of frontage with access on a public road having a minimum pavement width of 20 feet to the nearest paved road. If the planned capacity is under 100 persons, there will be no specific road requirements other than the provisions contained in § 1-19-3.210(B)(5).*

Section 1-19-3.210 (B) (5) cites:

*The road system providing access to the proposed use is adequate to serve the site for the intended use.*

The Site Plan accurately shows 20' pavement on Tower Road to a point about 50' short of the first access road to the grass parking area, after which Tower Road becomes gravel. The Applicant's Site Plan claims that the average capacity of the camp is 80 persons, which is under the 100 person criteria for paved surfaces to the access points. Staff views this claim of an 80-person capacity to be reasonable given the existing conditions of the camp and the attendance statistics provided by the Applicant.

However, the Applicant's website indicates that "*The dining hall snugly seats about 100.*" Also, it appears that with all of the cabin expansions, new cabins and Dining Hall expansion, the capacity will expand to slightly over 100 persons. When these camp improvements are made, the over-100-person capacity will require that a 50-75' portion of Tower Road be upgraded from gravel to 20' paved surface in order to meet § 1-19-8.327 requirements. Therefore, a note should be added to the plans indicating that the camp is restricted to 99 persons (meaning campers plus staff) until such time that the 20' pavement improvement to Tower Road is executed providing pavement to the eastern gravel entrance lane.

Furthermore, it is likely that the following improvements will cause an increase in capacity to 100 persons or greater:

- 1) expansion of the Dining Hall;
- 2) construction of "Future Cabin Site A"; or
- 3) construction of "Future Cabin Site B" .

Therefore, the following note should be also added to the plan to prevent an increase in capacity to 100 persons or greater: "The expansion of the Dining Hall and the construction of either of the Future Cabin Sites A and B shall not occur until Tower Road is upgraded to 20' paved surface to the eastern access lane on the site.

#### **ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):**

**In General:** This project was reviewed for potential impacts on schools, water/sewer and roads. This project was determined to generate no impacts on schools, utilities or traffic.

- Schools:** The non-residential nature of this project has no impact on schools.
- Water and Sewer.** The Property is currently classified No planned Service. The Division of Utilities and Solid Waste Management (DUSWM) has approved the APFO test indicating there are no impacts to public water and sewer facilities.
- Traffic:** This project was subject to a traffic review. This Site Plan will generate under six new peak hour trips and is therefore exempt.

**OTHER AGENCY COMMENTS:**

<b>Agency</b>	<b>Comment</b>
<b>Engineering Section, DPDR:</b>	Conditional Approval subject to SWM Development Plan completion prior to Site Plan approval.
<b>Transportation Eng., DPDR</b>	Approved.
<b>Planning Section, DPDR:</b>	Conditional Approval, subject to adding trash and recycling notes and revising the note regarding the recording of the Addition Plat.
<b>Life Safety, DPDR</b>	Approved. Emergency Response Information: 1 <sup>st</sup> Responder: Thurmont 2 <sup>nd</sup> Responder: Wolfsville
<b>Health Department</b>	Conditional Approval. No conditions listed.
<b>Soil Conservation District</b>	Approved.

**FINDINGS:**

The Applicant is requesting approval of Site Plan (AP # 8350) for several small building expansions and four new cabins. The Applicant is also requesting FRO approval.

The Staff finds that:

- 1) Site Plan approval can be given for a three-year period from the date of FcPc approval.
- 2) This project is exempt from the roads portion of the APFO because the number of peak-hour trips is less than six, and was found to have no impact to schools or water and sewer.
- 3) There are several hydrological components on this site. FRO forest requirements are being met with an expansion of the Maryland State DNR conservation easement areas.
- 4) With regard to parking and site access:
  - a) The site circulation pattern will remain essentially the same, with adequate sight distance.
  - b) Grass parking has been providing adequate parking needs for the last several decades. The Applicant is proposing open-field grass parking to meet the limited needs for parking for this site and the FcPc has the authority to approve this material.
  - c) The parking is exempt from handicapped accessibility requirements under COMAR § 05.02.02.03 (A) (7), as long as the existing facility is not undergoing new construction.
  - d) Bicycle parking requirements are not applicable to this site.
- 5) The Applicant proposes to rectify the hydrological buffer impingements of a few cabins that are located inside of hydrological buffers by relocating them all by December 31, 2016. Given the fact that some (if not all) of these cabins were been built prior to the advent of the Zoning Ordinance regulations and the fact that this is a non-profit religious institution that relies on volunteer labor to

maintain and re-build the cabins, the Staff finds that the 2016 timeframe is an appropriate target date to rectify these buffer impingements.

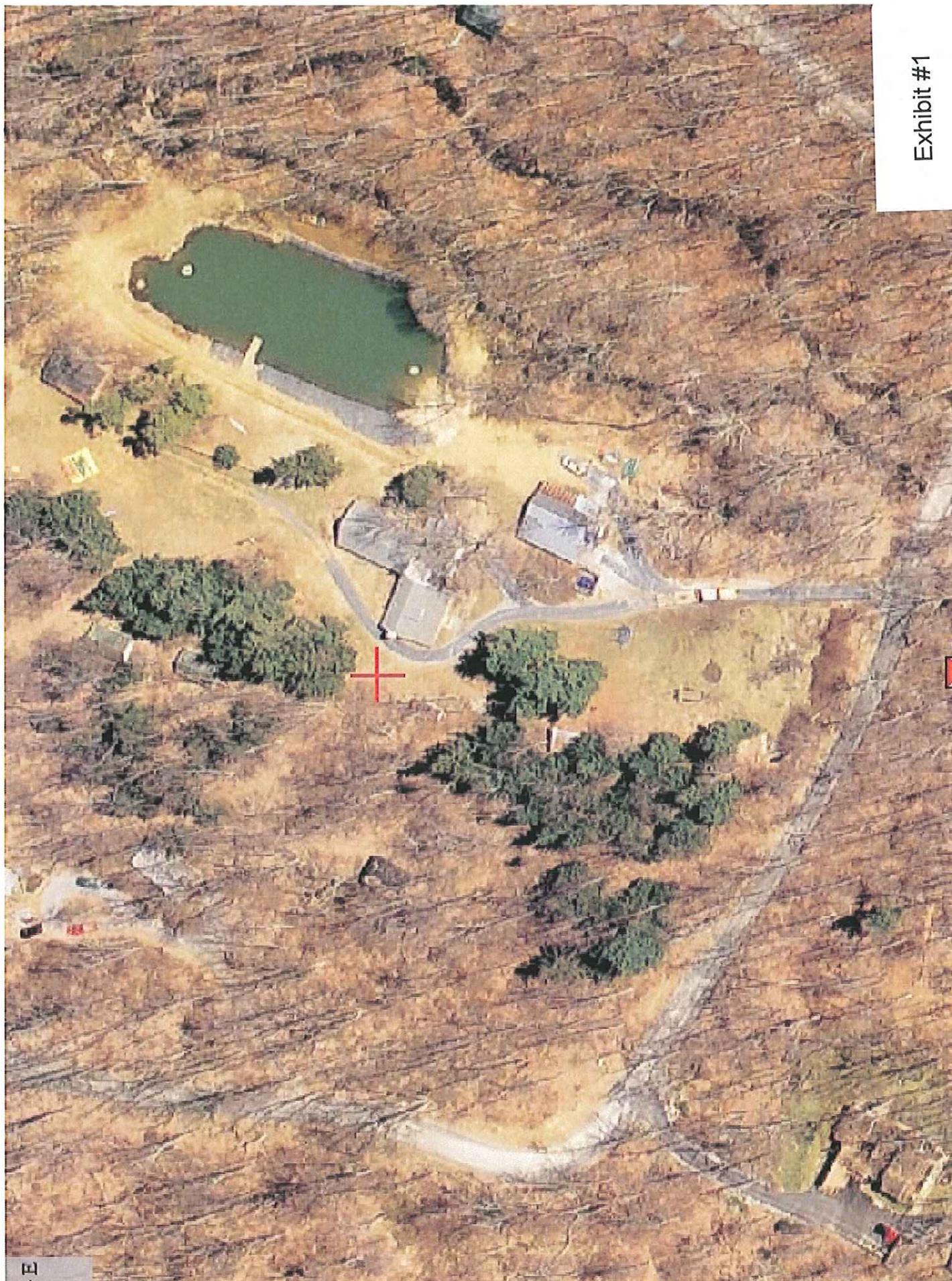
- 6) The Applicant proposes to rectify the setback infringement of the Care Taker's Cabin by recording an Addition Plat prior to Site Plan signature.
- 7) The reasonable, normal capacity of the camp appears to be slightly less than 100 persons. The camp is restricted to 99 persons (meaning campers plus staff) until such time that the 20' pavement improvement to Tower Road is executed. Given the extra capacities created by the expansion of the Dining Hall, or the construction of either Future Cabin Site 'A' or 'B', Tower Road must be upgraded to 20' paved surface to the eastern access lane when any of these improvements are made.
- 8) Based upon the discussion in the report, the Staff finds that the Revised Site Plan application meets and/or will meet all applicable Zoning, Subdivision, APFO and FRO requirements once all Staff and Agency comments and conditions are met or mitigated. With certain conditions of approval added, the Staff offers no objection to approval.

**RECOMMENDATION:**

Should the FcPc choose to approve this Site Plan application (AP # 8350), the FcPc should also cite the FRO approval as well. The Staff would recommend adding the following conditions to the approval:

Applicant shall:

- 1) Add the following notes to the site Plan regarding capacity:
  - a) The camp is restricted to 99 persons (meaning campers plus staff) until such time that the 20' pavement improvement to Tower Road is executed; and
  - b) Tower Road must be upgraded to 20' paved surface to the eastern access lane prior to the expansion of the Dining Hall, or the construction of either Future Cabin Site 'A' or 'B'.
- 2) Comply with Agency comments as this project moves through the development process, including but not limited to adding the trash/recycling note and amending the timing of the recordation of the Addition Plat.



**O'Philips, Stephen**

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**From:** Haller, Stephen [swhaller@gmail.com]  
**Sent:** Thursday, December 30, 2010 8:52 AM  
**To:** O'Philips, Stephen  
**Subject:** Tower Road Site Plan - Baltimore Yearly Meeting of Religious Society of Friends Incorporated

Dear Mr. O'Philips:

As a follow-up to our telephone conversation on Monday, and at your request, I am submitting this communication.

Based on specific facts, which we discussed, it is obvious that the capacity of the facility, owned by the Baltimore Yearly Meeting of the Religious Society of Friends Incorporated, and which is located on Tower Road, exceeds 100 persons.

A capacity of 100 or more invokes Section 1-19-8.327 (B) of the Frederick County Code, which states, "*Rustic retreat/camp/outdoor club with a planned capacity of 100 persons or more must have a minimum of 50 feet of frontage with access on a public road having a minimum pavement width of 20 feet to the nearest paved road.*"

Currently the property does not meet this requirement, therefore site plan approved should be withheld until that requirement is met as required by ordinance.

Sincerely,

*Steve Haller*

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